

REMARKS

This paper is submitted in response to the Office action mailed on March 31, 2008. This paper amends claims 1, 12, 17, 22, 30, 35, and 37 and cancels claims 16 and 34. Accordingly, after entry of this Amendment and Response, claims 14, 6-15, 17-25, 28-33, and 35-42 will be pending.

I. Claim Rejections Under 35 U.S.C. § 102

All pending claims, except claims 17 and 35, stand rejected as allegedly anticipated under 35 U.S.C. § 102 (e) by U.S. Patent No. 6,672,776 to Limqueco et al. (hereinafter "Limqueco"). "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). The Applicants respectfully traverse the § 102 rejections because Limqueco fails to teach or suggest all the elements of the claims as amended.

For example, independent claim 1, as amended,¹ requires that the act of "generating a correction factor includes determining a statistical variation between the first estimated timing response and the second estimated timing response" (emphasis added). No where does Limqueco teach or suggest this limitation either expressly or inherently. The Office action cites to column 3, lines 43-52 as allegedly teaching this claim element. *Office action* at 7. However, the Applicants respectfully submit that the passage cited in the Office action is being read out of context:

The system is configured to map the logic design into one or more logic gates from a chosen technology library. The technology library may vary depending on the manufacturer and the product line selected. For example, the target technologies may include different processes such as CMOS, NMOS, PMOS, TTL, or ECL with different minimum feature sizes, and emphasize different performance goals. One target technology may emphasize minimum area and power consumption, while another target technology emphasizes speed.

This passage from Limqueco simply states that different technology libraries may have varying properties to emphasize different performance goals. That is, a first foundry may have a minimum manufacturable transistor feature size (e.g., 1 μ m) and that first foundry may be building circuits using complementary metal oxide semiconductor transistors (CMOS). Meanwhile a second foundry may have a minimum manufacturable transistor feature size

¹ The Applicant respectfully submits that no new matter is added by the amendments presented herein inasmuch as they are supported at least at paragraphs [0035] of the Specification as well as by originally filed claims 16 and 34.

(e.g., 0.5 μ m) and that second foundry may be building circuits using bipolar transistors (i.e., TTL or ECL technology). There is no mention of statistical variation between different technology or that the "scaling factor" (described in column 5, lines 46-57 of Limqueco) somehow accounts for variation between technologies, statistically or otherwise. For at least this reason, claim 1 and its dependent claims (2, 3, and 6-11) are in a condition for allowance over the cited art.

Independent claims 12, 22, 30, and 37, as amended, have limitations akin to those described above with regard to claim 1. Therefore, claims 12, 22, 30, and 37 and their dependent claims (13-15, 17-21, 23-25, 28, 31-33, 35, 36, and 38-42) are in a condition for allowance over the cited art for at least the same reason as claim 1.

II. Conclusion

The Applicants thank the Examiner for his thorough review of the application. The Applicants respectfully submit the present application, as amended, is in condition for allowance and respectfully requests the issuance of a Notice of Allowability as soon as practicable.

The Applicants believes no fees or petitions are due with this filing. However, should any such fees or petitions be required, please consider this a request therefor and authorization to charge Deposit Account No. 04-1415 as necessary.

If the Examiner should require any additional information or amendment, please contact the undersigned attorney.

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Respectfully submitted,


Gregory P. Durbin, Registration No. 42,503
Attorney for Applicants
USPTO Customer No. 66083

DORSEY & WHITNEY LLP
Republic Plaza Building, Suite 4700
370 Seventeenth Street
Denver, Colorado 80202-5647
Phone: (303) 629-3400
Fax: (303) 629-3450